

Appl. No. 10/064,050  
Amtd. dated May 12, 2006  
Reply to Office action of December 12, 2005

**REMARKS/ARGUMENTS**

**1. Rejection of claims 1-7 under 35 USC 112, second paragraph:**

Claims 1-7 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. While the preamble of the claim 1 states that claim 1 is a method, the actual recitation of the claim is largely concerned with the elements of a physical device.

**Response:**

10 Claim 1 has been amended to overcome this rejection. Claim 1 now recites a plurality of method steps for calibrating an image. In addition, limitations previously contained in the original claim 2 have now been added to claim 1. No new matter is added through this amendment. Reconsideration of claims 1 and 3-7 is respectfully requested.

**15 2. Rejection of claims 1-15 under 35 USC 103(a):**

Claims 1-15 are rejected under 35 USC 103(a) as being unpatentable over Orito (US 6,072,912) in view of Toyofuku (US 5,289,000).

**Response:**

20 Independent claims 1 and 8 have been amended to overcome these rejections. Claims 1 and 8 now contain the limitations previously found in original claims 2 and 9, respectively. Each of claims 1 and 8 now recite that the scanning module moves across a plurality of positions on the track without the document positioned on the transparent platform for generating a calibration signal. With the calibration signal, the scanner is able to calibrate different positions of the track and the transparent platform independently. Using the calibration signal, the scanner corrects the scanning signal generated when the document is placed on the scanning module and the scanning module

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moves across the plurality of positions. In this way, a plurality of positions of the document are calibrated using unique calibration values according to the lighting properties of the scanner at those positions.

5 Orito, on the other hand, teaches a scanning module (image sensor) 54 that is located at a fixed position in the scanner. As shown in Figure 4, Orito only teaches collecting image data at a single location of the transparent platform. Since Orito's scanner uses a paper feeder, the scanning module is fixed, and therefore does not move along a track or along the length of the transparent platform. Therefore, Orito does not create calibration 10 signals for a plurality of different locations along the track or transparent platform, as is claimed in currently amended claims 1 and 8. Instead, Orito merely generates a calibration signals for the same location of the transparent platform when the irradiation lamp 52 is turned on and later turned off. The difference between the white and black color levels is divided into 256 grayscale levels for calibrating the scanner. However, this 15 does not enable one skilled in the art to solve the problem that the instant application addresses, which is to calibrate the scanner such that different positions of the scanner have different calibration values. In this way, uneven lighting characteristics of the scanner can be compensated using the calibration signals in order to generate corrected scan signals that have more even lighting characteristics.

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Toyofuku teaches a scanning module that moves along a track to scan a document and to generate a scan signal. However, Toyofuku does not teach generating calibration signals at various positions of the track when a document is not placed on the transparent platform, and then correcting the scanning signals created at various positions of the track 25 using the corresponding calibration signals. Instead, Toyofuku teaches synchronizing the operation of the transmitting light source and the reading scanner.

Since neither Orito nor Toyofuku teach calibrating the scanner and correcting

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scanning signals at a plurality of positions of the track, as is claimed, the cited art fails to teach all limitations contained in independent claims 1 and 8. Therefore, one skilled in the art would not be able to realize the claimed invention according to claims 1 and 8 by reading the combination of Orito and Toyofuku. Claims 3-7 and 10-15 are dependent on 5 claims 1 and 8, and should be allowed if claims 1 and 8 are allowed. Reconsideration of claims 1, 3-8, and 10-15 is respectfully requested.

In view of the above arguments in favor of patentability, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,

*Winston Hsu*

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